

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

JOSE CLARIOT

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No. 3:08-cr-00023-1  
Judge Nixon

ORDER

Pending before the Court is Defendant Jose Clariot's Motion to Prohibit Testimony

Regarding his Assertion of his 5<sup>th</sup> Amendment Right against Self-Incrimination ("Motion"). (Doc. No. 343.) Specifically, Clariot requests the Court prohibit the Government from introducing at trial any testimony regarding his assertion of rights under the Fifth Amendment or any statements made incident to his assertion of rights. (*Id.*) The Government has responded stating it does not oppose the Motion. (Doc. No. 361 at 2-3.)

Accordingly, the Motion is **GRANTED**. The Government is prohibited from introducing into evidence any testimony regarding Clariot's assertion of his Fifth Amendment Rights or any statements made incident to those assertions.

It is so ORDERED.

Entered this 11<sup>th</sup> day of September, 2013.

  
JOHN T. NIXON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT